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THE
New PRACTICE
A OF ~~1678.~~
INOCULATING
A THE
Small-Pox
CONSIDER'D,

And an Humble APPLIATION
to the Approaching PARLIAMENT for the
Regulation of that Dangerous EXPERI-
MENT.



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THE
NEW PRACTICE
OF
VACCINATION

Small-Pox

CONSIDERED

And in Humble Address to the
House of Commons, in the
Year 1780, by
J. J. J.

LONDON: Printed by J. J. J.
in the Strand, near St. Dunstons Church, 1780.
[Price 1s.]



THE
NEW PRACTICE
OF
INOCULATING for the
SMALL-POX, &c.



ALL Things on which the public Good or Evil of a Nation depends should be under the Regulation of the Government of that Nation.

It is upon this Foundation that several Trades and Occupations, which otherwise all Men ought to have full Liberty to Manage for themselves, are limited by Laws subjected to the Visitation and Inspection of Superiours, and the Persons managing them, made lyable to Censure and Punishment for any Excursions in carrying on their otherwise lawful Employments.

THUS the Price of Bread is limited, and stated by the Magistrate; engrossing Corn, forestalling the Market in Provisions, and the like are forbidden by the Laws; likewise the Victuallers and Alehouse-Keepers are Licensed by the Justices, and the Reasons of all these are Evident, and carry their Justification in themselves: The Price of Bread is limited, and the Markets are kept open for Provisions, that the Poor may not be impos'd upon, and necessary Food kept back for private Gain, when GOD has mercifully bestow'd Plenty for the common Supply: The publick House Keepers are under the License and Inspection of the Magistrate, that the Immorality and Intemperance of the common People may be restrain'd, and the usual Disorders attending Drunkenness, Gaming and keeping unseasonable Hours may be prevented.

IN like Manner and with the same Justice, but yet upon stronger Foundations the Practitioners in Physick, and Surgery are in most well govern'd Nations, and ought to be here, under the Regulations of Authority, and under the Inspection of the Government: The Lives, and Health of the People who fall into their Hands, are wholly in their Discretion, and at their Mercy, and no unlawful thing ought to be done by them, but they should be accountable to, and punishable for by the Government.

vernment. This is the Reason why Quacks, and Empricks, Mountebanks, and Pretendents to Physick, and Surgery, are by all Governments, either limited or suppress'd, and in the Judgment of good Men ought to be expell'd out of human Society, I mean as to their Practise; their desperate Operations, and fatal Experiments, being such as ignorant Men ought not to be entrusted with, and Men of no Reputation should not be allow'd to Practise.

It was left on Record by a learn'd Author, as a Maxim in Civil Government, and which I believe will be allow'd to be just in all Governments in the World, " That making
 " Experiments upon the Bodies of Patients
 " at the hazard of their Lives, Limbs, or
 " Health, and without their Consent, is an
 " Immorality in the Practise of Physick, and
 " Surgery, and is no less than willful Mur-
 " ther in the Practitioner.

THE Lives, Limbs, and Health of the Subjects being then so much, so often and so unnecessarily committed to, and put in the Power of Physicians and Surgeons; The Practise of Physick, and of Surgery ought to be limited by the Laws, and the Conduct of all the Physicians and Surgeons be at all Times subject to the Inspection of the Government, and to the Censure of the Magistrate

gistrate, that ignorant and dangerous Tampering with the Health and Limbs of their Patients may be prevented, and they may be punish'd when they engage in such Things as are contrary to the Rules of Art, and to the fair allowed Practice of other Physicians: Careful and honest Practitioners are careful in all doubtful Cases, to call in the help of other Physicians, and of other Surgeons; as well for their united Advice for the Benefit of the Patient, as to vindicate and have good Testimony of their own Conduct, to prove that they did nothing without due Consideration, and Consultation; and also, that what they had done was according to Practice and within the prescrib'd Rules of Art.

BUT as all Physicians, and Surgeons are not a like Careful, either of their Patients, or of their own Reputation, it is meet that the Restraint of Laws, and the Authority of the Magistrate should have a due Force to restrain those who are Ignorant; or, that knowing are too adventurous, or, Bold, and opined of their own Judgment, and rash in going upon the most dangerous and out of the Way things, to gain Experience at the Expence and Risque of their Patient.

OF this Sort, I take the new Experiment of Inoculation to be; a Practice however skilful, yet brought from the *Mahometans* only;

only; no one *Christian* Nation that I have met with in all my Reading, having ever allow'd it: But, newly set up here, and that in a novel Manner also, for we find it legitimated by the Authority of particular Men only, without having, as I can learn, any Authority for it from the Laws of Heaven, or Directions about it from the Laws of the Land: I say, as I can learn, not that I believe any one else can find it, but because I do not care to speak positively in any thing however Certain: But I may add, that tho' I have heard many object against it, yet I never could yet hear any one Authority brought from Scripture, or from History to prove the Legality of it.

THE People of *New England* have had the like Attempt made among them, whether from us, or like us from the private Judgment of some Men who have seen the Practice of it among the *Turks* and *Moors*; For I do not find that they pretend they ever met with the Practice before among any Christian Nation that believed a Providence, or gave due Difference to the Divine Authority in the Government of the World.

THE Small Pox is known to be a Distemper particularly fatal to *New England*, and especially among the Natives of *America*, who we call *Indians*; among whom, it is mortal
like

like the Plague, and often sweeps away whole Villages, or Towns of *Indians*, leaving none alive to bury those that are dead; yet, even here, many of the conscientious part of the People; I believe, I might say the most conscientious; tho' they would rejoyce at any lawful Specifick against the contagious mortal Influence of the said Distemper; yet generally reject the Practice of this new invented Anticipation, as a Thing utterly unlawful in it self; a meer audacious Presumption of the Practitioners there; and as one of their Writers say, a thing forbidden in Scripture, in that expresse Command, *Thou shalt not tempt the Lord thy God.*

IT is true, that in Things of this Nature, we have no direct Law limiting the Practice, either of the Operators, or of the People on whom these Operations are to be wrought; and therefore, it is suggested that our People are intirely left to their own Liberty to act in it as they shall think fit: But I doubt not to make it appear that it is quite otherwise; and that, tho' there are no expresse Laws yet made, which however, I hope, will not be long our Case; that yet, there are certain obligatory Precepts founded upon, the Awe of Divine Authority, and upon the regard to the general Good, which all *Christian* Nations and People ought to guide them-

themselves by; which are binding upon us; and by which we ought to suppose our selves to be Bound against such dangerous Novels as these; and which are equal in themselves to Laws; and ought to supply the Deficiency, 'till such Laws may be Enacted. I say, I doubt not, to make it appear, if Men will a little abate their Fondness for dangerous Novelties, and allow themselves coolly to look back on the Merits and Weight of what shall be said on both Sides.

WHERE Laws are Silent, Nature and Religion are our Judges; by them all the undetermin'd Difficulties that present themselves to us in any Case are decided; and it would be hard to vindicate the Morality of any Action in the World that is not supported by the Laws of Nature or of Religion; to those all rational Creatures pay a kind of Homage equal to the Obedience due to the Laws of their Country: It is true, that such is the necessary Obedience we owe to the Laws and Constitution of our Country, that tho' Nature and Religion may both condemn any particular Action, yet the Magistrate has no Power to condemn or punish any Person for the Fact committed, however Unlawful in its own Nature, or offensive in Point of Religion, if it is not a Violation of some known Law; But tho' the Laws of Nature and

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Religion

Religion may not impower to punish the Trespafs, they strongly guide to the Observance of and to an Obedience, in every just thing which they Direct.

THERE are many Things Criminal in themselves, and in the Sense of Religion, which it is true are not punishable by our Magistrates, because they are no Breach of any particular known Law: *For Example,* A Man cannot be punish'd for Infidelity, for not believing in God, not trusting in the Merits of Jesus Christ, and the like; for Negatives cannot well be digested into known Crimes; but the Laws of Nature and Religion do, notwithstanding, urge all wise and good Men to avoid all those Things that are so Criminal in themselves: Also, where the Deficiency of the Laws gives a kind of tacit Liberty to offend, it is, doubtless, the Duty of every Subject to recommend the supplying that Deficiency of the Laws with all reasonable Earnestness, that the Offence being fairly declared to be so, may, as soon as possible, meet with its due Discouragement, and with Punishment afterwards, and this the Design of this Tract.

THIS I take to be the true State of the Case, with respect to the New Practice which I am now speaking of, Namely, of *Innoculating the Small-Pox*: It is true, there
is

is no Law, either against the Thing it self, or to regulate the Practice of the Men of Art, I mean as to the Manner or Circumstances of this thing, and therefore, what ever Miscarriage may happen, the Magistrate can inflict no Punishment, no, nor proceed to any Censure upon the Operation: This I take to be a Difficiency in our Laws, but as it is an accidental Deficiency, rising singly from the Novelty of the Offence, so the End and Design of this Tract is, humbly to recommend it to the Legislature to fill up this Blank in the Constitution, that no dangerous Novelty may start it self up in our Practice, and gain upon the People by its Delusion, without due Provision to limit and check the Exorbitancy of it, and either prevent its Being Criminally practised, or that the Practice of it may be wholly suppress'd by Authority.

In order to this, it seems necessary to set the Matter in a clear Light, and to state the Fact, that we may see, Whether it be in it self Criminal or no? And if not Criminal in it self, Whether it may not be so in its Circumstances, as it begins to be practised, or may come to be practised among us? In either of which Cases, I hope what I endeavour is just, and I am sure is the Effect of a right Principle, (*viz.*)

1. If it appears a Criminal Practise, and unlawful in it self, as I verily believe it is; then to have it be totally suppress'd and prohibited.
2. If it appears to be Criminal in its Circumstances only, then to have just Limitations enacted, that the Practise may be Regulated, and the Criminal Part prevented or prohibited.

THAT the Physicians and Surgeons have taken upon them, to judge and determin this Matter for us, as it were by a kind of Dogmatick Authority of their own, which as I may tell them, they have no Pecedent to justify, and no Law to defend, I doubt not but will be made plain; as also that they have taken upon them to be Judges in their own Case, which is utterly wrong, and is a very great Testimony of the Justice, and Necessity of what is Practised in most Nations in *Europe*, Namely, that be no Men allow'd to practise Physick or Surgery, without a License from the Government; which on the other Hand, should not be granted but upon good and just Foundations, whereof these are some.

I. THAT

1. THAT every Practitioner should conform to the Rules, which the said Government prescribe them; and if any of them transgress, they should be liable to be called to an account, and punished.

2. THAT no ignorant, unquallify'd Pretenders to Art should be Licensed at all; seeing indeed, that almost all the dangerous Experiments of this kind are made by those who may justly come under the Denomination of ignorant, and Pretenders.

IT is an unhappy Truth, that no Nations in the World has more Need of, and Occasion for good Physicians, and able Surgeons then these of *Great Britain*, and *Ireland*; and I doubt I may add, without danger of being Contradicted, that no Nations in Christendom abound so much with Quacks, Mountebanks, and half taught Practitioners in Physick and Surgery, besides Closet Pharmacy, Ladies, and old Women, such as we may indeed call Charity Doctors, who do Mischief for God sake, and ruin the poor People in the abundance of their Christian Compassion.

IT

It was but a little while ago that we had a famous *Knighted Occulist*, who did wonders, couch'd Chatraacts, undertook all Distempers of the Eyes ; nay, set forth a *Book Of the Diseases of Opticks*, and as was notoriously known, was bred a Tumbler, advanc'd to a Fiddler, and his highest improvement was Plaister-maker to a Mountebank ; and to assist this just Character of his Abilities, he could neither Write or Read, and hardly knew when a Book was open before him, whether it was Bottom upwards or no.

How is the Number of Surgeons, or at least the Practice of Physicians, and Surgeons now encreas'd, by the distress'd Patients which come out of the Hands of those Pretenders ? How many Wounds mortify for want of timely Applications under the tampering Fingers of the charitable good Women, who handle the Poor so ill, and keep them so long, till they are really Incurable, even by Art it self ? so that they go out of the World, bewailing the Charity of their Benefactors, who, had they been timely put into the Hands of skilful Surgeons, and able Physicians would have been healed with little difficulty ?

THIS is a large Field, and has been often look'd into, tho' the Evil is still unrectify'd ; neither has our Legislature at any time establish'd any sufficient Regulations to govern

vern and prevent it : But were all these Pretenders, and Quacks to suffer for the Patients they kill, there would be more Caution us'd, or we should see some Hundreds of our Mountebanks sent to the Gallows, as they richly deserve.

BUT now as if not content with the Mischiefs they are already capable of doing, as if it was not enough, that they had the Lives and Limbs of the poor People so much in their Hands, or which is worse, as if the People of this Nation were not fast enough, and soon enough visited : Behold ! here is a new Step taken by the Men of Art to anticipate a Disease, and one of the most loathsome, and dangerous Kind, and to bring it upon us before our Time : The Pretence is that they will bring it on in a degree not Dangerous, and thereby prevent its coming in the ordinary Course with its usual hazard of Life and Death, the lawfulness of which, and of the several Circumstances attending it, is the Thing now in Question.

I shall not enter into a Calculation of the Proportion between those who have the *Small-Pox*, and die of it, and those who escape : This is certain, and lies against them.

I. THAT

1. THAT many Thousands go thro' a long Scene of Health, and live to a good old Age, and never have the *Small-Pox* at all.

2. Many Thousands die of other Distempers, without ever having the *Small-Pox* at all.

3. Millions may be said to be now living, who had them with Safety, are got over it, and have felt very little Inconveniences by it.

AND, *4thly*. Many of those on whom this dangerous Experiment is made, do, and will always miscarry of it; and if many do now, as is Evident when the Operation is perform'd only by the most skillful Hands, and under the Inspection of the best Physicians, How many may we suppose will be the Disasters when the Practice shall come into common Hands, and when there shall be as many Quack *Inoculators*, as there are now *Clap Doctors*, and Mountebanks.

BUT neither is this the main Objection that I have to make in the Case; tho' in this One. by a fair Calculation, I firmly believe the Good will

will not Counterballance the Evil ; but of this, I shall speak again by and by.

I COME next to say a little of the Morality of this Practise ; I remember a Story of a Mountebank in *France* famous for his ORVIETAN, or *Antidote* to expel Poison, who causing his *Merry Andrew*, or some such Servant to take Poison upon the Stage, to a degree that must inevitably kill him in a few Minutes, and exposing him to the People, as he swell'd and began to move on towards infallible Death, the Doctor put his Hand in his Bag to pull out his famous ORVIETAN, but found to his Surprise, his Man had forgot to put it in among his other Preparations, or had by Mistake put up something else in its room, and before it was possible that a Messenger, with the utmost Speed could fetch it, poor *Jack-Pudding* was quite dead, or so far gone as to be past Recovery.

WHETHER it was a lawful Action for this Man to give the poor Fellow the Poison on a Dependance upon his fallible Art to Cure him, judge ye.

I WILL allow the Cases are not exactly Parallel, but they differ in nothing more than the possibility of the Opperator having forgotten, or omitted to search for his *Antidote*, before he gave the Poison ; and the like Possibilities.

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tho' of different Kinds, which may happen in the Case of Inoculation. I leave the Inference to every common Judgment.

SICKNESSES and Diseases are the Averfions of Nature; they are a Part of the great Sentence of Mortality, paſt upon Mankind at the Fall of *Adam*: For they are a Part of Death, and have in them a Tendency to the Grave, in the very Nature of the Thing. When Diseases attack us, they are our Afflictions, and wiſe and good Men eſteem them as Afflictions ſent by the immediate Hand of God in Judgment, or in Punishment, for our Offences againſt Heaven: How we can preſume to uſe any Art to bring Diseases upon our Selves, on Preſumption of our Ability to Cure them, is, what I confeſs I do not underſtand.

We read of a Gentleman in *Germany* whoſe Leggs were crooked, and who was ſo uneaſy at it, that he ſent for the moſt ſkilful Surgeons in the Country, to conſider what Courſe to take with them: They told him there was no way but to break the Bones of both his Legs, and that then they could engage to Set them again ſtrait; this it ſeems he ſubmitted to, but by what wrong Contexture of the Body I know not, they could not with all their Art, put the Bones into any better Poſture than they had been in already, but that
really

really the Legs were, if possible, more crooked than they were before, and the Man was a Cripple all his Days.

This was, I must think, a tempting God, and was in it self, a Presumption in the highest Degree; and had it been made impossible to have Set them at all, the Man must have acknowledged that the Hand of God's Justice was very Righteous upon him, however heavy.

FOR a Physician or Surgeon to bring a dangerous Disease upon the Body, on Pretence that he does not bring it on in a dangerous Manner, is in my Opinion running the Man thro' on purpose to Cure him, and doing a thing, which I see no Authority in Scripture for.

BESIDES this, let us bring this Practice to the Bar of Conscience; there seems so visible a Presumption in the Operation, as in my Opinion must shock the Courage of any serious thinking Man; I speak not of such as think themselves out of all Religion, that think away both their Faith and Profession; that Reason themselves, even out of the Ordinary belief of Divine Principles, and Work themselves up to Atheism, by the Power of their corrupted Understandings; who crown their Faculties in the room of their Conscience, and set Reason upon the Throne of God; let those that are harden'd in Atheistic Notions affront God,

and presume upon what they will, let them Inoculate and be Inoculated, and wait the Event; but I speak of, and I hope speak to Men who may be call'd Christians, who have the Eternal being before their Eyes, who Reverence the Sovereignty of his Providence, and yeild to his Government in the minutest Affairs of Life; believing the Power as well as the Right of Retribution to be in him, and that as he is infinitely Just, he can deal with the most Audacious of his Creatures in a manner as they dare not abide.

O F such Men, I may ask, how they would be able to bear the Reproaches of their own Consciences, and the just Reflections upon the Presumption of such a thing as this, in Case of a Miscarriage? If they believe that the Secret invisible Power of Heaven influences every Action of Life, as most certainly is the Case, How can they satisfy themselves thus, to take the Work out of his Hands, and dare to bring a Distemper upon any particular Person, upon Presumption that it shall come only in such, and such a manner, or to such and such a degree? And when they find that Heaven has defeated their Skill, and has struck the visited Person with Death: How can the Physician or Surgeon, or Person directing it, avoid saying, *Upon me be thy Hand, O Righteous God, for*

as for these innocent Lambs, what have they done !

FOR the Doctor to say, that the Disease shall not go any dangerous Length, that the Body shall be duly prepared for it, and the like ; what Language is this for Christians ? 'Tis said of King *Herod*, *God struck him with a loathsome Disease*. Diseases are the Stroke of Heaven ; the *Small-Pox* is *Flagellum Dei*, shall Man presume to strike himself with it, and then say I will strike but gently, and I will Cure it immediately, or it shall want no Cure ? Suppose Divine Vengeance justly provok'd by the insult, should strike Home, and the Patient sink at once, as it must do in such a Case, and as we see it has done : What anguish of Mind, must the Reflection bring with it where there is a due Sense of the Offence given ? I say, I speak this to Men under the just awe of the Government of Providence in the World, and who subject their Souls, as all Men ought to do to the righteous Disposition of Heaven, believing that he whomade the World guides it, and sees, and knows every Action of Life, not suffering a Hair of the Head to fall without his Permission or Appointment.

AGAIN, let us bring this Practice to the Bar of Scripture, if there is an appointed time for all Events ; if Life is a limited Circle, out of which we cannot act, and beyond, which

which we cannot exist : Why then we can neither prevent its Periodical *Crisis*, or anticipate it, and to talk of bringing on a Distemper, so that it shall not kill, is an Absurdity so gross, that it looks like assaulting Heaven, and taking its Darts out of his Hand, as if a Person being appointed to die ; Man shall say to his Maker, you shall not kill him, or you shall not kill him with this Weapon : One way it must suggest, that Heaven has no other Sword to slay with ; that he cannot execute his own Decrees, his own Way ; that a insolent Surgeon, or a bold daring Physician, should take the Edge off of this Sword, or the Point off of this Dart, and tell Heaven to it's Face, that if the Man must die, he must find some other Weapon to kill him, for this is rendered Useless and Unperforming ; horrid Insolence ! and in itself monstrous absurdity.

If the Divine Decrees determine the Life of Man, as no Man can say they do not, they, doubtless also, determine the Means and Manner ; and would it not be both impious to think of being able to Enervate the Almighty Arm, and by Anticipation contradict the unalterable Decree ?

I remember an eminent Physician in London, yet so harden'd an *Atheist*, that coming to a Patient, to whom he had administred some Physick, he ask'd her, how she was, and
if

if it had done her any Good? She answer'd, lifting up her Eyes most seriously to Heaven, *Yes, Doctor, Blessed be God, it has cured me, God has blessed your Medicines, and I am cured.* The impious Wretch return'd, Prethee don't tell me of God Blessing it, I tell you, it would have cured you, whether God Blessed it, or no. The poor Lady was glad of the Cure, but so shock'd with the insolent, profane Creature of a Doctor, that she never employ'd him more.

Now, to bring this Story down to our Case, can we believe this Inoculation to be a thing we can expect God's Blessing upon, or do our Opponents say with the Doctor above, that it shall have its Effect, whether God Bless it or no? If it be true, as *Christians* undoubtedly believe, that every Cure is wrought by God's Blessing on the Medicine, which may be apply'd; then no Medicine ought to be used, no Application, no Method of Cure, but such as God's Blessing may be ask'd, and expected upon: But what Blessing can we ask, upon a wilful bringing a Disease upon our selves, before Heaven thought fit to inflict it?

It is said, in Defence, that it is not positively bringing the Distemper on, with a purpose to heal it; but putting Nature into a Disposition to suffer the same Fermentation, which
it

it suffers in the ordinary Distemper of the *Small-Pox*, without any *Convulsions* or dangerous Symptoms! in which the Persons often expire, in the usual Course of the Distemper; that the ordinary Distemper, would be far less dangerous than it now is, could the Physician know when it would come on, that so they might make the same Preparations, and put the Body into the same Dispositions; and they plead much the Lawfulness of bringing on the Distemper, from the Certainty of the Cure; or as they chuse to call it, the Certainty of its being of a kindly and moderate Sort, and without any Malignancy; without the Fever, without other Inflammations, and dangerous Confluence of the Pustules, which are so fatal in the usual Process of the Distemper.

I could say more to the religious Part, were my Business principally to argue against the Morality of the Practice. But I shall take them by another Handle, for I much question whether the Advocates for the Operation will give a due Weight to allow the Consideration of its being Criminal in the Sight of God, and an Affront to the Wisdom of Heaven, and an Invasion of his Sovereignty: We live in a Day when these Things are too much laught at, and look'd upon as ridiculous; and when to object from such Principles, is counted Enthusiastick, and consequently not worth Notice.

BUT

BUT to speak to the Allegations of the Operators, there would be no End of Debating the Probability of Success in the Operation, but Demonstration puts an End to Argument; some do Miscarry; the late Earl of *Sunderland's* Son is a melancholly Example, and many in *New England* have miscarried.

THIS must be either from a Deficiency in the Preparations, or the Unskilfulness of the Operator; but some say, and I doubt 'tis too true, that 'tis from an impossibility of knowing when those Preparations are sufficient, when the Dispositions to be made are such as will be Effectual; if this is uncertain, and can only be guess'd at, let the World judge what a lamentable piece of guess Work this is, and whether the risque of Life is fit to be run, where the Foundation is but Suppositions at best.

IF there were a certainty, none would Miscarry, and then there would be no hazard, but if there is not a certainty, then are the Lives of all those on whom this dreadful Experiment is made ventured, and laid at Stake upon the uncertain Opinion of the Person intrusted with the Operation, and upon his single Opinion the Patient hazards, and perhaps loses his Life, or the Parent loses the Life of his Child, and the like.

I CONFESS I never found Physicians or Surgeons equally Cautious of the Patients hazard in their making Experiments ; I say not equally with the Parent themselves, did they know the Danger, but rather forward to persuade the Patients, or their anxious Relatives out of their Apprehensions, and encourage them to venture, what they would never venture, did they know the Danger as much as the Operators do : But I have often met with Physicians, and Surgeons, also have gone with heavy Hearts for the Miscarriage of their Operators, and for their being too willing to put the Life of their Patient in hazard, and this when it has been too late to retrieve the Loss.

IT is Evident in the Case before us, that tho' it may be True, and the Preparations and Dispositions which the Operator makes are often sufficient to preserve the Patient, and to enervate the Force of the Distemper, as above; and yet they cannot affirm positively that it will be so ; and I dare say that if a Law was made that every Surgeon that Inoculated the *Small-Pox* upon any Person should be hang'd if the Patient miscarried, there would not be One of them would venture ; I do not say, such a Law can, or ought to be made, but I argue from it, that the Operators have no certain Rule by which they can assure themselves

selves, that the Patient is sufficiently prepared to suffer the Shock of the Distemper, and yet there is not so great an Injustice in the Proposal neither as may appear at first Sight; for if the Surgeon will not hazard his Life, who is paid for it, why should the Patient hazard his Life, that is in full Health, and has no need of it.

ALL the answer to this is, the Patients receives the greater Benefit, being deliver'd from the Anxiety of being attack'd by so Potent an Adversary at a Time when we may not be in a Condition to sustain the Attack, and being assur'd that he shall for ever after be freed from that Danger.

BUT this is a notorious begging the Question, and indeed is Contradicted by the Matter of Fact; and I am inform'd that we just now in One of our Hospitals have an eminent Confutation of this Presumption, where the Operation of Inoculating the *Small-Pox* has been Practis'd for the sake of the Experiment on a Person who had visible Testimony in his Face, of his having had them to an extraordinary Degree some Years before; but upon the Inoculation had them again as violently as before, and yet the Inoculation was made from the most gentle and moderate Kind of the *Small-Pox* that could be procur'd.

THIS Account I have attested from a Person of undoubted Veracity, and also of Experience in Physick for 40 Years.

IF then they neither are certain of the Success of the Operation it self, but that Patient may Miscarry under the Operation, nor certain that the Patient may not have the Distemper again after it has succeeded, what is it the poor Patient suffers, and for what does he run this Risque? Is it to bring a new Practice upon the Stage, and encrease the Number of Physicians, is it to encourage the Men of Art, and find Business for them, I must say in that Case the Play is scarce worth the Candle. I honour the Profession as much as becomes me, and far from offering any thing unworthy to the Practitioners themselves; but this is too great a Complement to pay, they should neither grow Wise or Rich at such an Expence as this, let their Experiments be made upon other Foundations than of Life, and upon, other Species of God's Creatures than their Fellow Creatures; let them get by fair Practice my blessing, my Blessing be with them, but if they come to put upon us in so gross a Manner as this, 'tis unsufferable, and they must excuse us.

AGAIN, I cannot think that the Risque of the *Small-Pox* is so great, or, the Disease so frightful, in the ordinary way of Providence, that People should thus hurry themselves into such an extraordinary

ordinary Operation to secure themselves from the Fear of it; especially seeing they cannot say, they really and effectually secure themselves by it neither: Take the *Small-Pox* as it ordinarily visits Families, *some Tears, indeed, it is more fatal than in others*; but, as I have observ'd above, many live to a great Age, and never have it at all; I have met with whole Families of People that never had it in the whole House; and some not in a whole Race; of those who have it, how many whole Families of Children have it round, and not one miscarry? And if I was to make a Calculation, I believe, I might answer for it, that through out the Nation, not One in Fifty, of those who have the Distemper die of it, and others tell me, not above One of an Hundred: I question much, whether our Inoculators would Answer for the same Proportion among their Patients: I do not believe they have yet Inoculated an Hundred in the whole Nation; and, I think, Three of them are known to have miscarry'd and died; besides, some that being Inoculated had none of the Distemper follow'd it, nor could have any such thing as the *Small-Pox* brought out upon them.

IF then, the Risque of the Distemper is no more, than as above, some Physicians say, that if new Methods were taken, the Distemper it self would be less Mortal than it is: What then is all this Stir about? Why, the People hurry'd into a Method so abhor'd, by some so shocking, to many so unwelcome, so disagreeable, and in the Opinion of many so unlawful? The Novelty seems not to please at all, as Novelties usually do; there is something shocking in it to Nature, much to Reason, and much more to Conscience.

It might be ask'd here, How comes it to pass, that this Piece of Art has made so large a Stride at once, as from *Turkey* to *England*, without making any Stop, or, at least meeting any Entertainment in the other Wise, and Learned Countries of *Europe* which lye between? The *French* are noted at this Time for having the best Physicians, and the best Surgeons in *Europe*; and they are sent for on extraordinary Occasions, to all the Princes of *Europe*: How comes it to pass, that they have not yet embrac'd this Art as well as we, or, rather before us? The *Small-Pox* has been as fatal to them; and particularly to their Quality, to the Princes, Princes and Nobility of *France*, and yet they never approv'd this Operation, at least we have not heard of it. I have heard that the *Venetian* Physicians had, some time ago enter'd upon Practice, but that it was condemn'd by the Clergy as impious; I will not affirm that it was so, but in short, something Extraordinary must be the Case; for as the *Venetians* and *Italians*, are so near *Constantinople*, where the *Turkish* Physicians ordinarily practice it, they can not be ignorant of it; and their Physicians and Surgeons, would certainly, long ago have put it in Practice, if they had not had some particular Reason against it.

NEITHER is it practiced in *Spain*, *Italy*, *Germany*, or *Poland*, as I have heard of; what may be the particular Reasons why those Countries all reject it, that I cannot account for, any more than I can for its being thus eagerly receiv'd in our Country, unless it be the exceeding Passion we have for Novelties of any Kind, 'tis something hard we should Entertain any thing of a Novelty as such, at so great an Expence, at so great

great a Hazard, paying for our Curiosity, with the Expence of at least the Health, if not the Life of our Friends and Relations.

THERE is another thing in the Circumstances of the Operation, which deserves our Consideration, and that is, that is generally executed by Parents which are Guardians of our Posterity upon little Infants of two and three Year old; such as are not able to give their Assents or Dissents to the thing, tho' their own Lives are the hazard of the Experiment. Now we are not only accountable to GOD for the Lives of all those that are committed to our Charge; but we are particularly accountable to the Common Wealth for our Conduct in the Management of our Children, and as we may not Injure them; so it cannot be reasonable we should determine the Risque of their Lives for them, when they have no Power to give their Negative.

THIS is indeed no less than an absolute Power exercised over them; such as our Laws do not indeed meddle with; but the Laws of Heaven are plain in it, that we should not do to others what we would not, that in like Case they should do by us.

THE Scripture Laws indeed may be said to give the Parent a Power over the Lives, and Welfare of their Children; but then that was in the Patriarchial Government, and in the Youth of the World, the Parent then being the natural Sovereign of his whole Family. But since the World has encreas'd, and equitable Laws take Place in Government, for the good of Society. I say since thus the Case is alter'd very much, and now there is a Justice due to our Children, which we ought not to deny them, and ought
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to make Conscience of the Performances of it, and this is in particular among others, not to expose them to Hazards, while they are unable to Chuse or Distinguish for themselves: Nor to do any thing by them, or with them in their Infancy, which we cannot Answer to them, and to our selves. when they come of Age: Now how we can justify the putting this Risque upon our Children in their Infancy, when they cannot Judge for themselves, and have no Negative Voice in their own behalf, is worth recommending to every Christian to Consider, and especially what Peace they would have in their own Minds in Case of a Miscarriage.

OUR Operators reply to this, that it is for the good of Children; that it is certainly done with a good Design that we are accountable for no more, and that their Lives are many other ways put into our Hands as Parents, in which we have all the Reason in the World to be satisfy'd with our endeavours for their Advantage, and having acted with a sincere Intention, that the Administration of Physick to our Children is the same thing, particularly giving them Vomits, which is a violence upon Nature, and making them Heart sick, in order to be well: Nay, is a putting Nature into extremity of Sickneſs till the Stomach falling into Convulsions, cast up all that was in it, and the Body is put into violent Distortions, Reachings, Heavings, in which many Children die, expiring in the very Operations; others burst themselves, and contract Weaknesses, Ruptures, &c. which they feel all their Days after, and the like of Bleeding, Blistering, &c.

ALL this is true or may be suppos'd so, but two Answers lye ready to stop the Mouths of those

those who plead it, and which Answers I think will be sufficient.

1. THESE Applications, or Operations, call them what you will, are always made to, or, upon our Children, for the Cure of some visible Distemper which the Child has at that time upon it, and whether done by the Advice of a Physician, or otherways, are allow'd to be the ordinary Remedies in such Cases, otherwise the Parent would have no Peace in the doing it, nor, indeed, ought to do it: But this is not the Case of the Parent, in the Inoculation of the *Small-Pox*; for, here the Child is in perfect Health, it may have the *Small-Pox*, or, it may not; if it hath them, it may recover, and it is to be hoped it would, and it may live all its Days without ever having them; and yet, in the middle of its perfect State of Health, I shall incorporate the Poison of a distemper'd Body with the pure Blood of my Child, and propagate the Contagion 'till it becomes infected; the Mass of Blood corrupted, and the most loathsome Disease brought upon the Child; the Cases bear no Paralel, to the most unbiass'd Reader to distinguish them.

2. NOTWITHSTANDING all this, what Reproaches do the affectionate Parents sometimes lead themselves with, in Cases of Miscarriage; O! I have kill'd my Child! I have murder'd my Child! I had no need to have given it this Vomit, it was too violent a Remedy, it was not a proper Thing, and the like, and many Parents mourn thus, as long as they live after it; but what self Reflection and Reproach

must such tender Parents load themselves with, If a Child should die on their Hands, under this inhumane *Turkish* Operation of Inoculation; I leave that also to Consideration.

BUT I have something farther to offer still, and which, indeed, is the main Reason of Writing this Tract; I say, This Practice opens a Door to innumerable Villanies and Murders, in the Case of Infants, Orphans, &c. giving Opportunity to several Persons, and in several Circumstances; some of which I shall mention, to murder innocent Children, committed to their Keeping, with Impunity, and without the Murtherer being liable to any Punishment or Prosecution: And as this is a Mischief, which merits to be considered very seriously, and is worthy the Cognisance of the Legislature. I cannot, but in the humblest Manner Recommend it to the approaching Parliament, and even in a solemn Appeal to them, demand Justice of them, in the Behalf of innocent Posterity, whose Cases may come within the Heads which I shall innumerate. I am now for the sake of the Argument to suppose, *tho' I by no Means grant it*, That there lay no religious Objections against this Practice of Inoculation in general; the Morality of it was not in Dispute, and the Conscience had no concern in the Matter; these being Arguments also, that in these Days of Latitude, which have not, I think, so much Weight allow'd to them, as they formerly had, and as they ought to have.

BUT the Justice and Equity of it, and the just Reason there is to have such a Thing as this is, and so many ways dangerous, to be brought under Regula-

Regulations, and legal Limitations, this is, I believe, what no Man will dispute.

It ought to be in no Persons single Power, to Injure another, without being liable either to make Reparation, or, suffer Punishment. And this is the Reason of Laws, and Regulations in Civil Societies; and without such Laws and Regulations, there would be no such thing as Civil Society in the World. It is a general Mistake among us, that Laws are made for the Punishment of Offenders; Laws were made for preventing the Offence, and punishing the Offender, is putting an Edge, indeed, to Law, and is the concurring of the Executive Power, in the Preservation of the Society, but the original Design of Law is to regulate Life, and preserve the Rectitude of Men's Conduct, that no stated Rule of Justice and Right, being laid down, all the People may know how to behave, and may be obedient: The Executive Power comes after, as the Sanction of Authority, to enforce that Obedience, where ungovern'd People would break in upon the Rule, and break out of the Circle prescribed them.

Now, here is a Case perhaps entirely unprovided for by the Law, because no paralel Case that ever I met with, has been in the World like Parricide, in *Lycurgus's* Law; it hath no Provision made against it, for our Legislators never heard of the Crime.

It remains then to Consider this Case in a full Representative, that Avarice and Murther, with all unnatural Crimes attending them, may not break in upon us in the Dark, and Justice have no Assistance to Detect and Punish them.

W E see dreadful Examples every Day among us in spight of Conscience, and Religion in spight of our Pretences to bring a Nation of Humanity, not addicted to Cruelty, and Blood in spight of generous Principles, Knowledge, Education, and the like, things which we boast of as *English Men*; I say, we see most horrible Excursions made every Day: Avarice pushes Men on to all the Hellish Practices imaginable, Men murder Fathers, Mothers, Relations, Innocent Children, and any that stand in the way of their wicked Desires; the Power of Avarice is such, that like King *Abab*, they are for killing and taking possession; the Case of *Arundel Coke of Bury*, is a late flagrant Example of it, which puts it out of Dispute.

W H I L E this Hellish Principle then has so much hold upon Mankind, 'tis highly necessary that there should be no Doors left open for the Practice, at least none that can be shut, that there should be no room for the covering such horrid things from the reach of the Law: Physicians they have already too much Latitude in Practice, to make havock of Mankind for the Satisfaction of their Judgement in Physick, and encrease of their Experience; but every Quack now may be a Hireling to the Devil, and like that Banditty in *Italy*, be ready to do the Drudgery of removing Heirs, and other obstructing Incumbents of many kinds, and to do this under the Mask of a Cure, Inoculating Death instead of a Disease, and making use of an Art never before Practis'd in a manner not foreseen, and by the Laws, not yet sufficiently provided against.

L E T no Man pretend this is Hard and Uncharitable, it cannot be lyable to that Reproach, because I Charge no Man, and only move that
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the Temptation may be remov'd from every Man; that no Gap may be left open in our Law, at which Crime may break undiscern'd, or harbour it self unpunish'd, and as this is a new Case never known here before; 'tis but reasonable new provision of Laws should be made against, and that I may engage all the reasonable Part of Mankind in favour of what I propose I shall endeavour to do it, so as the most Critical Observer shall find no room to Object against it, except it be that I am too Moderate, and do not carry it far enough, which will never pass for an Offence, because our Legislators may supply that Defect as they see Cause, and I think it is but meet they should have that Part left them.

IN a Word then to prevent the Mischiefs, which may happen from the wicked Designs of Men abandon'd to Crime, I humbly move that if this Practice of Inoculating of the *Small-Pox* should be permitted to be in use among us, some Limitations may be put upon both the Practice, and the Persons that may be concern'd in it such as may best secure the Lives of Innocent Children, who cannot resist the Operation for themselves, or give a Negative in the Resolutions that may be taken about them: Such as these,

- I. THAT no Father-in-Law, or Mother-in-Law be allowed in any Case whatever, to Cause any of the Children under their Care to be Inoculated without the Consent of three of the nearest Relations of the Child, by the Mother's Side, if a Father-in-Law, or by the Father's Side, if a Mother-in-Law, and in their Presence; their Consent to be signify'd in

in Writing, sign'd in the Presence of at least one Justice of the Peace.

2. THAT no Guardian of any Orphan Child, under Age, and for, and to whom, or to any one else for the use of the said Orphan, the said Guardian has any Trust, or any Account to give, shall be allow'd to Cause, or Suffer any such Orphan to be Inoculated on any Account, or with any Limitations whatsoever.

3. THAT no Person, who is Heir at Law, or who has any Remainders or Estate in Reversion after any Person whatsoever, shall Cause, or Procure the Person possessing such Estate to be Inoculated, as above.

4. THAT no Person, who has ensur'd the Life of another by Policy of Insurance, or that has Expectation, or Promise, or Grant of possessing any Office, or other Benefit, after and by the said Person's decease, shall Cause, or Procure, or to his Power, suffer the said Person to be Inoculated, as above.

5. THAT no Person, who pays any Annuity for Life, Fee-Farm, Rent, or any Pension, or Payment whatsoever, Terminating with Life of the Person to whom the same is Payable, shall Cause, or Procure, or Suffer the Person, so receiving the said Annuity, Rent, Pension, or Payment to be Inoculated, as above.

6. THAT the Physician, or Surgeon advising, or performing the Operation on any such Person

son so prohibited should for ever be made incapable of Practising, and shall pay a Fine of 500 l. and for the second Offence be Transported; and if the Person so Inoculated should die, the said Persons causing, or procuring it to be done, and the Physician and Surgeon also knowing the Person to be within the said Limitations should suffer Death.

7. THAT no Operation for Inoculating the *Small-Pox* on any Infant whatsoever shall be perform'd but in the Presence, and with the Consent of both the Father and the Mother of the said Child, if living, and if no Father and Mother, then in the Presence, and with Consent of three at least of the nearest Relations signify'd as in the Article before a Justice of the Peace.

8. THAT no Operation for the Inoculating the *Small-Pox* on any Person whatsoever shall be perform'd, but in the Presence, and by, and with the Assistance of two known Practising Surgeons at least, and one Licensed Physician, who shall all have Power to inform themselves upon Oath, or otherwise, of the due Consent of all Persons requir'd by this Act.

THESE are some of the Limitaitons, which I think will be found Necessary for the better Regulating this Novelty among us, if it must be admitted among us; and I think they all carry so much of the Reason of their being Enacted along with them, that I need say nothing to urge their being both convenient, and even absolutly necessary.

If the Practice shall yet go on, without these, or some other Regulations, that may answer the End, for the Publick Preservation, I shall have the Satisfaction of having set up a *Beacon*, or *Bow*, where this dangerous Shoal, or, Sunk Rock, as the Sailors call it, lies. If any shall be so unhappy to split upon it hereafter, the Warning is given, I am free of the Guilt, and can have no Blame for the Consequence.

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